

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

DARYL ALAN SCOTT;
LEE ALLEN MAYHEW; and
JOHN DENNIS BAILLIE,

Plaintiffs,

v.

SHERIFF NOEL BROWN;
CAPTAIN KENNETH THOMPSON;
HEAD NURSE LYNN;
LT. PRINCE-WHITE; and
LT. D. MARSH,

Defendants.

CV 621-071

ORDER

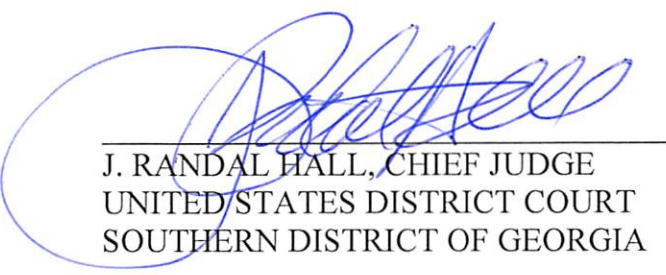
After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, as modified herein, **DISMISSES** without prejudice the above-captioned case, **DIRECTS** the Clerk to file and docket this Order and the instant complaint in separate civil actions for each Plaintiff, with the same *nunc pro tunc* filing date of September 17, 2021.

Plaintiffs Scott and Mayhew must submit a new complaint, to be filed in their respective new cases, that is limited in scope to only those claims and Defendants relevant to each of them individually. Plaintiffs Scott and Mayhew must also submit their own motions to proceed

IFP or pay the full filing fee within twenty-one days of the date the Clerk opens the new case. The Court **DIRECTS** the **CLERK** to provide Plaintiffs Scott and Mayhew a standard form complaint used by incarcerated litigants in the Southern District of Georgia, stamped with each respective new case number and Plaintiff's name but otherwise blank so that each Plaintiff can list the Defendants he intends to sue. The Court further **DIRECTS** the **CLERK** to provide Plaintiffs Scott and Mayhew the appropriate blank IFP forms, stamped with each respective new case number and Plaintiff's name. Failure by Plaintiffs Scott and Mayhew to timely submit the documents outlined herein shall result in dismissal of the newly opened case.

Plaintiff Baillie has already submitted his new complaint in CV 621-074. The Court **DIRECTS** the Clerk to (1) docket Mr. Baillie's motion to proceed *in forma pauperis* ("IFP"), (doc. no. 2), into his new case; (2) terminate all deadlines with respect to the deficiency notice issued October 13, 2021; and (3) update the docket to reflect the complaint filed October 13th is the amended complaint. Mr. Baillie's case shall then proceed with the October 13th amended complaint as the operative pleading.

SO ORDERED this 14th day of October, 2021, at Augusta, Georgia.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA